

CHAPTER 61—H.F.No.385

[Coded]

An act relating to certain political subdivisions, authorizing issuance of certificates of indebtedness in certain situations.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. [475.754] **MUNICIPALITIES; DISASTERS OR PUBLIC EMERGENCIES, CERTIFICATES OF INDEBTEDNESS.** If in any fiscal year the receipts from taxes or other sources are insufficient to meet the expenses incurred or to be incurred in said year by any city however organized, village, borough, county or town by reason of any natural disaster or other public emergency requiring the making of extraordinary expenditures, the governing body of any such city, village, borough, county or town may authorize the sale of certificates of indebtedness to mature within three years and to bear interest at a rate not to exceed the amount prescribed in Minnesota Statutes, Chapter 475. The certificates may be issued with or without advertising for bids on such terms and conditions as the governing body may determine and shall be in such form as the public examiner in cooperation with the commissioner of banking shall prescribe. All certificates and interest thereon shall be payable from taxes levied within existing limitations or from other available revenue. Certificates of indebtedness issued under the provisions of this section shall not be considered bonded indebtedness for the purposes of section 273.13, subdivisions 6 and 7, and section 275.50, subdivision 5(h). The certificates shall not be included in the net debt of the issuing city, village, borough, county or town.

Sec. 2. This act is effective the day following its final enactment.

Approved March 30, 1973.

CHAPTER 62—H.F.No.471

An act relating to the practice of optometry; providing for the appointment of a lay person to the state board of optometry; providing procedures for the licensing of optometrists; amending Minnesota Statutes 1971, Sections 148.52; 148.57, Subdivisions 1, 2, and 3; 148.58; and 148.59.

Changes or additions indicated by underline, deletions by ~~strikeout~~.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1971, Section 148.52, is amended to read:

148.52 OPTOMETRY; STATE BOARD; LICENSES. The state board of optometry shall consist of five qualified optometrists and one member of the lay public appointed by the governor, each for a term of three years and until his successor qualifies. Vacancies in the board shall be filled by like appointments for unexpired terms.

Sec. 2. Minnesota Statutes 1971, Section 148.57, Subdivision 1, is amended to read:

148.57 LICENSE. Subdivision 1. ~~The persons entitled to practice optometry in Minnesota who are not already registered shall be: every person of the full age of 21 years who furnished the state board of optometry with satisfactory evidence of:~~

~~(1) His age and moral character;~~

~~(2) That he has been graduated from an accredited high school or its equivalent, and that he possesses the knowledge essential to the practice of optometry;~~

~~(3) That he be a graduate of an optometric school or college approved by this board, requiring an attendance of not less than four years' course.~~

~~Such school shall give a course of instruction covering and including the following minimum requirements:~~

Ocular anatomy.....	125 hours
Ocular pathology.....	125 hours
General anatomy.....	150 hours
General physiology.....	100 hours
General mathematics.....	150 hours
General physics.....	100 hours
General optics.....	100 hours
Theoretical optics.....	300 hours
Practical optics.....	100 hours
Theoretical optometry.....	250 hours
Practical optometry.....	200 hours

Changes or additions indicated by underline, deletions by ~~strikeout~~.

Hygiene 50 hours
 Psychology 50 hours
 Optical laboratory work 100 hours
 Clinical work 100 hours

In the course of study herein outlined, the hours required shall be actual work in the class room, laboratory, or clinic, and at least 80 percent of actual attendance shall be required. EXAMINATION. A person not authorized to practice optometry in the state and desiring to do so shall apply to the secretary of the state board of optometry for examination and pay a fee of \$50 to the board. The candidate desiring to apply for examination by the board shall complete a form furnished by the board and shall file the same with the secretary of the board at least two weeks prior to the date of the examination. With the submission of the application form, the candidate shall prove (a) that he is of good moral character, and (b) that he is a graduate of an optometry school requiring at least two academic years of preprofessional training for admittance to such school and which has been approved by the board, or that he is currently enrolled in the final year of study at such a school. The examination shall include both a written test and a practical demonstration and shall thoroughly test the fitness of the candidate to practice in this state. In regard to the written examination, the board (a) may prepare, administer, and grade the examination itself or (b) may recognize and approve in whole or in part a similar examination prepared, administered and graded by the national board of examiners in optometry or (c) may administer a recognized and approved examination prepared and graded by or under the direction of the national board of examiners in optometry. The board shall issue a license to each applicant who satisfactorily passes the examination and fulfills the other requirements stated in this section. The applicant shall pay to the board a fee of \$12 upon issuance of the license. In the event the candidate fails to pass a part of the examination, upon the payment of an additional fee of \$35, he may retake the examination at the time the board next schedules such examinations. The fees mentioned in this section are for the use of the board and in no case shall be refunded.

Sec. 3. Minnesota Statutes 1971, Section 148.57, Subdivision 2, is amended to read:

Subd. 2. ~~Having passed satisfactorily an examination by the board as to his qualifications for the practice of optometry, upon the completion of which, he shall receive from the board a licensed certificate entitling him to practice. Any person desiring to be~~

Changes or additions indicated by underline, deletions by strikeout.

~~examined by the board must fill out and swear to an application furnished by the board and file the same with the secretary of the board at least two weeks prior to holding of examination which the applicant is desirous of taking. The applicant shall pay to the board a fee of \$35 before examination and \$10 upon issuance of certificate. In the event of failure on the part of the candidate to pass the first examination, he may, within 15 months, have another trial, upon the payment of \$25 additional. A person who holds a certificate of registration, or license, from another state, and who has practiced not less than one year in that state, may apply for registration in Minnesota by presenting a certified copy of his certificate of registration, or license, from the other state and by paying to the board a fee of \$50. The applicant may then be registered and issued a certificate of registration if the requirements of registration in the other state are deemed by the board to be equivalent to those of sections 148.52 to 148.62; provided, that that state accords like privileges to holders of certificates from the Minnesota board.~~ RECIPROCITY. A person who holds a certificate of registration, or license, from another state, and who has practiced not less than three years in that state, may apply for licensure in Minnesota by filling out and swearing to an application for license by reciprocity form furnished by the board and by filing that form with the board secretary along with a fee of \$100 at least two weeks prior to the regular meeting at which the board is considering such applications. The application fee of \$100 shall be for the use of the board and in no case shall be refunded. To verify that the applicant possesses the knowledge and ability essential to the practice of optometry in this state, the board may for good cause request the applicant to perform a practical demonstration to its satisfaction. The applicant may then be issued a license if the requirements for registration or licensure in the other state are deemed by the board to be equivalent to those of sections 148.52 to 148.62; provided, that the other state accords like privileges to holders of certificates from the Minnesota board.

Sec. 4. Minnesota Statutes 1971, Section 148.57, Subdivision 3, is amended to read:

Subd. 3. **REVOCATION, SUSPENSION.** The board, upon hearing, of which the accused shall have ten days notice in writing may revoke the ~~certificates license~~ or suspend the right to practice of any person who has been convicted of any violation of sections 148.52 to 148.62 or of any other criminal offense, or who is found by the board to be grossly incompetent, afflicted with contagious disease, an habitual drunkard, or guilty of unprofessional conduct. "Unprofessional conduct" means any conduct of a character likely to deceive or defraud the public, including, among other things, price advertising, and free examination advertising, the loaning of his license or ~~certificate~~ by any licensed optometrist to any person;

Changes or additions indicated by underline, deletions by ~~strikeout~~.

the employment of "cappers" or "steerers" to obtain business; splitting or dividing a fee with any person; the obtaining of any fee or compensation by fraud or misrepresentation; employing directly or indirectly any suspended or unlicensed optometrist to perform any work covered by sections 148.52 to 148.62; the advertising by any means of optometric practice or treatment or advice in which untruthful, improbable, misleading, or impossible statements are made. After one year, upon application and proof that the disqualification has ceased, the board may reinstate such person.

Sec. 5. Minnesota Statutes 1971, Section 148.58, is amended to read:

148.58 LICENSES FILED; FEE. The holder of any ~~certificate of registration~~ license issued pursuant to this act shall file the same for record with the clerk of the district court in each county wherein he conducts his practice and after record shall display it conspicuously at his place of practice. Upon removal to another county, he shall there in like manner file his ~~certificate license~~ before engaging in practice therein. Such clerk's fee shall be as provided by law.

Sec. 6. Minnesota Statutes 1971, Section 148.59, is amended to read:

148.59 ANNUAL LICENSE RENEWAL; FEES. Before April 1 each year, each authorized optometrist shall pay to the state board of optometry a fee of ~~\$25~~ \$50, in default of which the board, upon a hearing and after 20 days notice given by registered mail to the last known address of the registrant, may revoke the ~~certificate license~~ of any optometrist so in default; but the payment of such fee at or before the time of hearing, with such additional sum, not exceeding \$25 as may be fixed by the board, shall excuse the default. The board may collect such fee by suit. At the time of paying the fee required by this section, the optometrist shall inform the board of the address of the place or places where he conducts his practice. He shall also inform the board of any change in the address or addresses of his practice during the next 12 month period within one month of the change. The board may, after promulgation of rules relating thereto and the issuance of an initial list of approved courses, require that optometrists satisfactorily complete appropriate educational requirements as a condition precedent to annual license renewal. Courses conducted within the state of Minnesota to be eligible for approval by the board must be open to all optometrists licensed in this state. The board shall consider both curriculum and fees in approving courses.

Approved March 30, 1973.

Changes or additions indicated by underline, deletions by ~~strikeout~~.